

HOUSE SUMMARY OF SENATE AMENDMENTS

House Bill No. 807 by Representative Tim Burns

INSURANCE: Provides with respect to title opinions

Synopsis of Senate Amendments	
1.	Added exceptions for certain road home program property.
2.	Added an exception for the sale of a single family residential property, requiring a minimum search period of 15 years.

Digest of Bill as Finally Passed by Senate

Present law (R.S. 22:512(17)(b)(vi)(bb)) provides that a title opinion shall contain a complete list of all encumbrances, mortgages, judgments, liens, and privileges. Further requires the list to contain the names of secured creditors, dates filed, amounts, and recordation information.

Proposed law retains present law and adds a provision requiring a title opinion to contain a search of the mortgage records for a period of 20 years for federal judgments.

Present law (R.S. 22:512(17)(b)(vi)(gg)) provides that a title opinion must contain the length of examiner's search and date of earliest recorded instrument reviewed by the examiner.

Proposed law retains present law and adds a provision that specifies if the transaction is a sale, the minimum search period must be 30 years, or longer, in order to reach an arms-length sale between unrelated, third parties, unless the sale is a single family residential property, in which case the minimum search period shall be 15 years. Proposed law further provides if only a mortgage is being insured, then the search must be for a minimum of 10 years or two links in the chain of title, whichever is greater. Proposed law further provides that such sale or mortgage search requirements shall not apply to any transaction made prior to and on January 1, 2013, by the Road Home Corporation, The Louisiana Land Trust, or any political subdivision, of property originally acquired in connection with the Road Home Program.

(Amends R.S. 22:512(17)(b)(intro. para.) and (vi)(bb) and (gg))